

**IN THE CLAIMS:**

Please amend claims 1, 4, 6-8, 11-14, 17, and 20 as follows. Please cancel claims 22-38. Please add new claim 39.

1. (Currently Amended) A method of encoding a frame in a communication network using a plurality of codec modes, wherein the frame encoded by each codec mode is represented by a plurality of parameters, said method comprising at least one stage and wherein said at least one stage comprises ~~the steps of:~~

selecting one group from a plurality of groups of codec modes ~~one group~~, wherein each of said groups ~~group~~ comprises at least one codec mode and is arranged to have a common parameter characteristic; and

encoding the frame with one of the codec modes from the selected group in dependence on said common parameter characteristic.

2. (Original) A method as claimed in claim 1 comprising a plurality of stages.

3. (Original) A method as claimed in claim 1, wherein the parameters comprise one or more of: a VAD flag, an LTP filtering flag parameter, an ISP parameter, a pitch delay parameter, an algebraic CB parameter, a gain parameter and a high-band energy parameter.

4. (Currently Amended) A method as claimed in claim 3, wherein the parameter characteristic is ~~the~~ a bit size of the parameter.

5. (Original) A method as claimed in claim 1, wherein the frame is a speech frame.

6. (Currently Amended) A method as claimed in claim 1, wherein the selected group consists of one or more of said codec modes.

7. (Currently Amended) A method as claimed in claim 1, wherein the step of selecting said one a codec mode group is in dependence on parameters determined from the encoding of the frame.

8. (Currently Amended) A method as claimed in claim 7, wherein the determined parameters are compared to threshold values.

9. (Original) A method as claimed in claim 8, wherein the one of the codec modes selected to encode the frame is dependent on the comparison of the threshold values.

10. (Original) A method as claimed in claim 8, wherein the thresholds values are dependent on a target bit rate.

11. (Currently Amended) A method as claimed in claim 8, wherein the thresholds values are stored in a tuning table, the tuning table comprising thresholds values for each of the parameters ~~parameter~~ corresponding to each of the plurality of codec modes.

12. (Currently Amended) A method as claimed in claim 1, wherein each of the plurality of codec modes ~~define~~ defines a bit rate for encoding ~~a~~ the frame.

13. (Currently Amended) A method as claimed in claim 1, wherein said at least one stage being arranged to have a group with ~~the~~ a codec mode with a lowest bit rate and another group with ~~the~~ remaining codec modes.

14. (Currently Amended) A method as claimed in claim 13 comprising at least two stages, wherein said first stage being arranged to have two groups and said second stage being arranged to have at least three groups, wherein at least two of the groups of the second stage are contained in one of the ~~same group~~ groups of the first stage.

15. (Original) A method as claimed in claim 14 comprising three stages, wherein in said third stage, said frame is encoded by one of said plurality of codec modes.

16. (Original) A method as claimed in claim 1, wherein the plurality of codec modes are codec modes of an adaptive multi rate codec.

17. (Currently Amended) An apparatus for encoding a frame in a communication network using a plurality of codec modes, wherein the frame encoded by each codec mode is represented by a plurality of parameters, said apparatus comprising at least one stage and wherein said at least one stage comprises:

a selecting unit means for selecting configured to select one group from a plurality of groups of codec modes ~~one group~~, wherein each of the groups group comprises at least one codec mode and is arranged to have a common parameter characteristic; and

an encoding unit means for encoding configured to encode the frame with one of the codec modes from the selected group in dependence on said common parameter characteristic.

18. (Original) An apparatus as claimed in claim 17 comprising a plurality of stages.

19. (Original) An apparatus as claimed in claim 17, wherein the parameters comprise one or more of: a VAD flag, an LTP filtering flag parameter, an ISP parameter, a pitch delay parameter, an algebraic CB parameter, a gain parameter and a high-band energy parameter.

20. (Currently Amended) An apparatus as claimed in claim 19, wherein the parameter characteristic is ~~the~~ a bit size of the parameter.

21. (Original) An apparatus as claimed in claim 17, wherein the frame is a speech frame.

22-38 Cancelled

39. (New) An apparatus for encoding a frame in a communication network using a plurality of codec modes, wherein the frame encoded by each codec mode is represented by a plurality of parameters, said apparatus comprising at least one stage and wherein said at least one stage comprises:

means for selecting from a plurality of groups of codec modes one group, wherein each group comprises at least one codec mode and is arranged to have a common parameter characteristic; and

means for encoding the frame with one of the codec modes from the selected group in dependence on said common parameter characteristic.